

43569

Vol. 1997 Page 26696

'97 AUG 14 12:00

ODOT  
File 6007-173

## DONATION DEED

RUNNING Y RESORT, INC., an Oregon corporation, Grantor, for no monetary consideration does convey unto the STATE OF OREGON, by and through its DEPARTMENT OF TRANSPORTATION, Grantee, fee title to the three parcels described on Exhibit "A's" attached hereto and by this reference made a part hereof.

Maps attached marked Exhibit "B".

THIS INSTRUMENT WILL NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY APPROVED USES AND TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES AS DEFINED IN ORS 30.930.

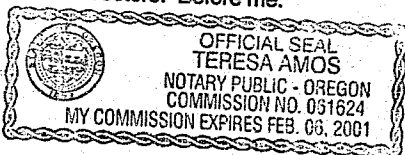
In construing this deed, where the context so requires, the singular includes the plural and all grammatical changes shall be made so that this deed shall apply equally to corporations and to individuals.

Dated this 29<sup>th</sup> day of July, 19 97.

RUNNING Y RESORT, INC.

By R. WendtR. Wendt, Signatory  
R.C.STATE OF OREGON, County of Klamath

July 29, 19 97. Personally appeared R.C. Wendt, who, being sworn, stated that he is the Signatory for Running Y Resort, Inc., and that this instrument was voluntarily signed in behalf of the corporation by authority of its Board of Directors. Before me:



Teresa Amos  
Notary Public for Oregon

My Commission expires 2.6.01

7-14-97  
ael/

AFTER RECORDING RETURN TO  
OREGON DEPARTMENT OF TRANSPORTATION  
RIGHT OF WAY SECTION  
417 TRANSPORTATION BLDG.  
SALEM OR 97310

Account No.: \_\_\_\_\_

Property Address: \_\_\_\_\_

✓  
call  
45-

**EXHIBIT "A"**

**PARCEL I**

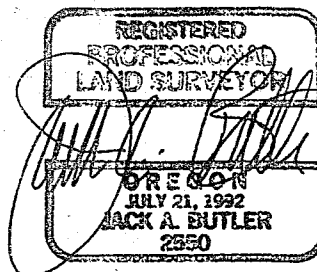
A TRACT OF LAND IN SECTION 9, TOWNSHIP 38 SOUTH, RANGE 8 EAST OF THE WILLAMETTE MERIDIAN, KLAMATH COUNTY, OREGON, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE INTERSECTION OF THE NORTHERLY RIGHT-OF-WAY LINE OF HIGHWAY 140 WITH THE EASTERLY RIGHT-OF-WAY LINE OF RUNNING Y ROAD, SAID INTERSECTION BEING THE INITIAL POINT OF "TRACT 1319, RUNNING Y RESORT, PHASE 1", PER PLAT NO. 20-605 OF THE KLAMATH COUNTY PLAT RECORDS, SAID POINT BEING 40.00 FEET LEFT OF ENGINEER'S CENTERLINE STATION 1773+77.71 WHEN MEASURED AT RIGHT ANGLES TO SAID CENTERLINE; THENCE ALONG SAID EASTERLY RIGHT-OF-WAY LINE NORTH 31°21'06" EAST 33.47 FEET; THENCE LEAVING SAID EASTERLY LINE, SOUTH 59°30'18" EAST 122.12 FEET; THENCE SOUTH 52°08'01" EAST 302.02 FEET TO SAID NORTHERLY RIGHT-OF-WAY LINE OF HIGHWAY 140, SAID POINT BEING 40.00 LEFT OF ENGINEER'S CENTERLINE STATION 1777+99.88 WHEN MEASURED AT RIGHT ANGLES TO SAID CENTERLINE, PER OREGON STATE DEPARTMENT OF TRANSPORTATION RIGHT-OF-WAY MAP DRG. NO. 7B - 4 - 6 WOCUS BAY - GEARY RANCH SEC.; THENCE ALONG SAID RIGHT-OF-WAY LINE NORTH 58°47'20" WEST 422.17 FEET TO SAID INITIAL POINT AND THE POINT OF BEGINNING.

CONTAINING APPROXIMATELY 0.22 ACRES, OR 9,431 SQUARE FEET.

THE BASIS OF BEARINGS FOR THIS DESCRIPTION IS PER THE PLAT OF "TRACT 1319, RUNNING Y RESORT, PHASE 1".

SAID TRACT IS DEPICTED ON THE ATTACHED "EXHIBIT B" AND BY THIS REFERENCE SAID EXHIBIT IS MADE A PART HEREOF.





**W&H PACIFIC**

2236 S. 6th Street  
Klamath Falls, OR 97601

26698

**EXHIBIT "A"**

**PARCEL II:**

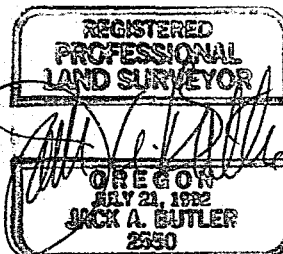
A TRACT OF LAND IN SECTION 9, TOWNSHIP 38 SOUTH, RANGE 8 EAST OF THE WILLAMETTE MERIDIAN, KLAMATH COUNTY, OREGON, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE INTERSECTION OF THE NORTHERLY RIGHT-OF-WAY LINE OF HIGHWAY 140 WITH THE EASTERLY RIGHT-OF-WAY LINE OF RUNNING Y ROAD, SAID INTERSECTION BEING THE INITIAL POINT OF "TRACT 1319, RUNNING Y RESORT, PHASE 1", PER PLAT NO. 20-605 OF THE KLAMATH COUNTY PLAT RECORDS; THENCE ALONG SAID NORTHERLY RIGHT-OF-WAY LINE OF HIGHWAY 140 NORTH 58°47'20" WEST 60.00 FEET, SAID POINT BEING 40.00 FEET LEFT OF ENGINEER'S STATION 1773+17.71 WHEN MEASURED AT RIGHT ANGLES TO SAID CENTERLINE, PER OREGON STATE DEPARTMENT OF TRANSPORTATION RIGHT-OF-WAY MAP DRG. NO. 7B - 4 - 6 WOCUS BAY - GEARY RANCH SEC., AND THE POINT OF BEGINNING. THENCE NORTH 58°47'20" WEST 817.71 FEET, SAID POINT BEING 40.00 LEFT OF ENGINEER'S CENTERLINE STATION 1765+00 WHEN MEASURED AT RIGHT ANGLES TO SAID CENTERLINE PER SAID RIGHT-OF-WAY MAP; THENCE LEAVING SAID NORTHERLY LINE SOUTH 64°29'58" EAST 100.50 FEET; THENCE SOUTH 60°41'53" EAST 300.17 FEET; THENCE SOUTH 61°39'05" EAST 200.25 FEET; THENCE SOUTH 59°30'18" EAST 217.91 FEET TO THE WESTERLY RIGHT-OF-WAY LINE OF SAID RUNNING Y ROAD; THENCE ALONG SAID WESTERLY LINE SOUTH 31°21'06 WEST 32.72 FEET TO THE POINT OF BEGINNING.

CONTAINING APPROXIMATELY 0.39 ACRES, OR 16,832 SQUARE FEET.

THE BASIS OF BEARINGS FOR THIS DESCRIPTION IS PER THE PLAT OF "TRACT 1319, RUNNING Y RESORT, PHASE 1".

SAID TRACT IS DEPICTED ON THE ATTACHED "EXHIBIT B" AND BY THIS REFERENCE SAID EXHIBIT IS MADE A PART HEREOF.



ROW140.DOC 6/11/97



**EXHIBIT "A"**

**PARCEL III:**

A TRACT OF LAND IN SECTION 9 AND THE NORTHEAST ONE-QUARTER OF SECTION 16, TOWNSHIP 38 SOUTH, RANGE 8 EAST OF THE WILLAMETTE MERIDIAN, KLAMATH COUNTY, OREGON, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

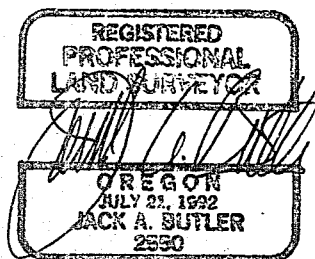
COMMENCING AT THE INTERSECTION OF THE NORTHERLY RIGHT-OF-WAY LINE OF HIGHWAY 140 WITH THE EASTERLY RIGHT-OF-WAY LINE OF RUNNING Y ROAD, SAID INTERSECTION BEING THE INITIAL POINT OF "TRACT 1319, RUNNING Y RESORT, PHASE 1", PER PLAT NO. 20-605 OF THE KLAMATH COUNTY PLAT RECORDS; THENCE SOUTH  $31^{\circ}12'40''$  WEST 80.00 FEET TO THE SOUTHERLY RIGHT-OF-WAY LINE OF HIGHWAY 140, SAID POINT BEING 40.00 FEET RIGHT OF ENGINEER'S CENTERLINE STATION 1773+77.71 WHEN MEASURED AT RIGHT ANGLES TO SAID CENTERLINE PER OREGON STATE DEPARTMENT OF TRANSPORTATION RIGHT-OF-WAY MAP DRG. NO. 7B - 4 - 6 WOCUS BAY - GEARY RANCH SEC. AND THE POINT OF BEGINNING. THENCE ALONG SAID SOUTHERLY LINE SOUTH  $58^{\circ}47'20''$  EAST 436.22 FEET TO A POINT OF SPIRAL CURVATURE, SAID POINT BEING 40.00 FEET RIGHT OF ENGINEER'S CENTERLINE STATION 1778+13.93 WHEN MEASURED AT RIGHT ANGLES TO SAID CENTERLINE PER SAID RIGHT-OF-WAY MAP; THENCE ALONG A SPIRAL CURVE WITH A CENTRAL ANGLE OF  $10^{\circ}00'00''$  AND A CENTERLINE LENGTH OF 500.00 FEET, A DISTANCE OF 195.50 FEET TO A POINT 40.00 RIGHT OF ENGINEER'S CENTERLINE STATION 1780+09.43 WHEN MEASURED AT RIGHT ANGLES TO SAID CENTERLINE; THENCE LEAVING SAID SOUTHERLY RIGHT-OF-WAY LINE NORTH  $62^{\circ}31'23''$  WEST 510.50 FEET; THENCE NORTH  $56^{\circ}15'54''$  WEST 794.81 FEET TO THE SOUTHERLY RIGHT-OF-WAY LINE OF HIGHWAY 140, SAID POINT BEING 40.00 RIGHT OF ENGINEER'S CENTERLINE STATION 1767+05.96 WHEN MEASURED AT RIGHT ANGLES TO SAID CENTERLINE;

THENCE ALONG SAID SOUTHERLY LINE SOUTH 58°47'20" EAST 671.75 FEET  
TO THE POINT OF BEGINNING.

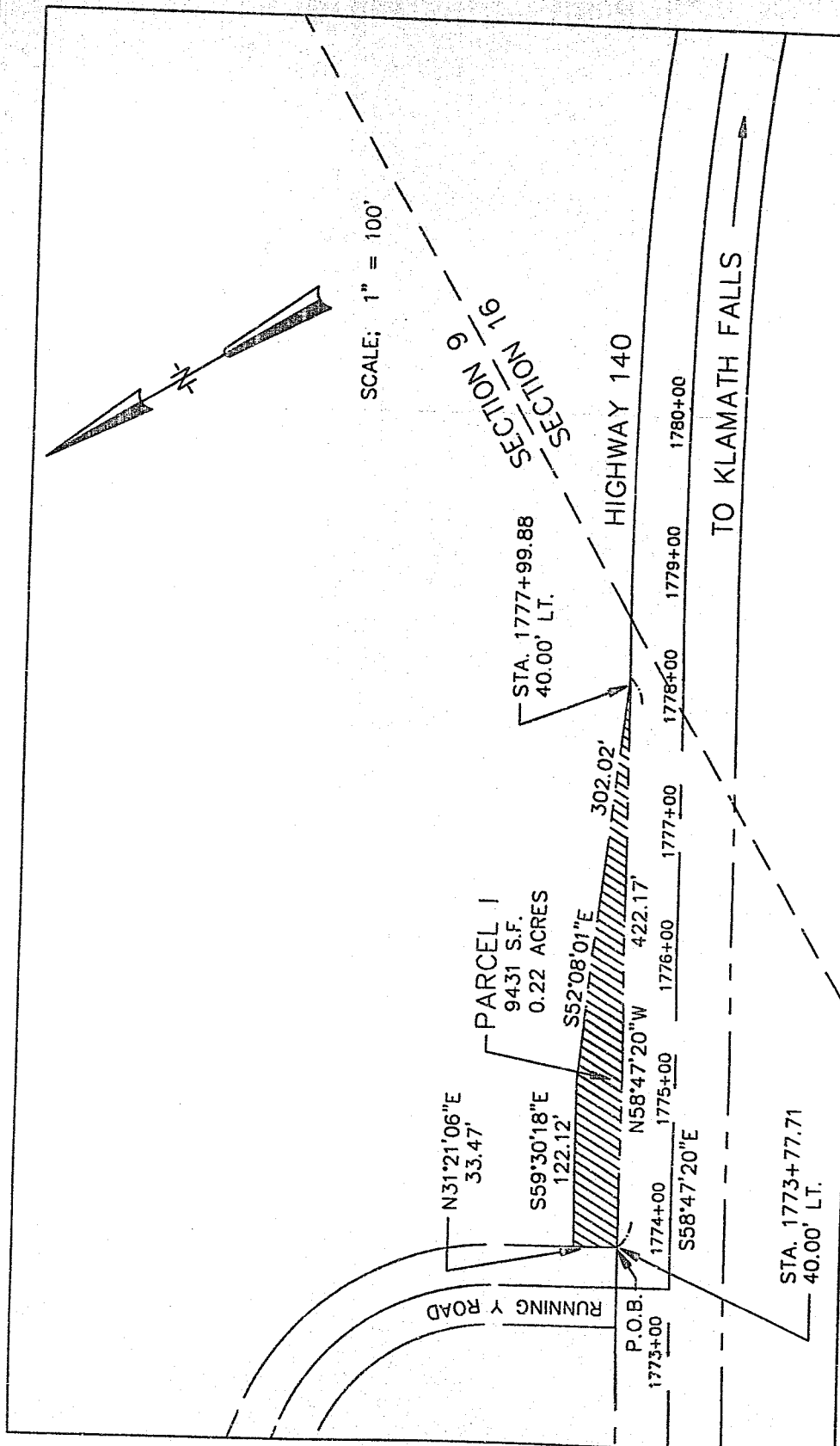
CONTAINING APPROXIMATELY 0.53 ACRES, OR 23,172 SQUARE FEET.

THE BASIS OF BEARINGS FOR THIS DESCRIPTION IS PER THE PLAT OF  
"TRACT 1319, RUNNING Y RESORT, PHASE 1".

SAID TRACT IS DEPICTED ON THE ATTACHED "EXHIBIT B" AND BY THIS  
REFERENCE SAID EXHIBIT IS MADE A PART HEREOF.



26701



# EXHIBIT "B"

SKETCH TO ACCOMPANY LEGAL DESCRIPTION

A TRACT OF LAND LOCATED IN SEC. 9,  
T 38 S, R 8 E, W.M., KLAMATH COUNTY, OREGON

REGISTERED  
PROFESSIONAL  
LAND SURVEYOR

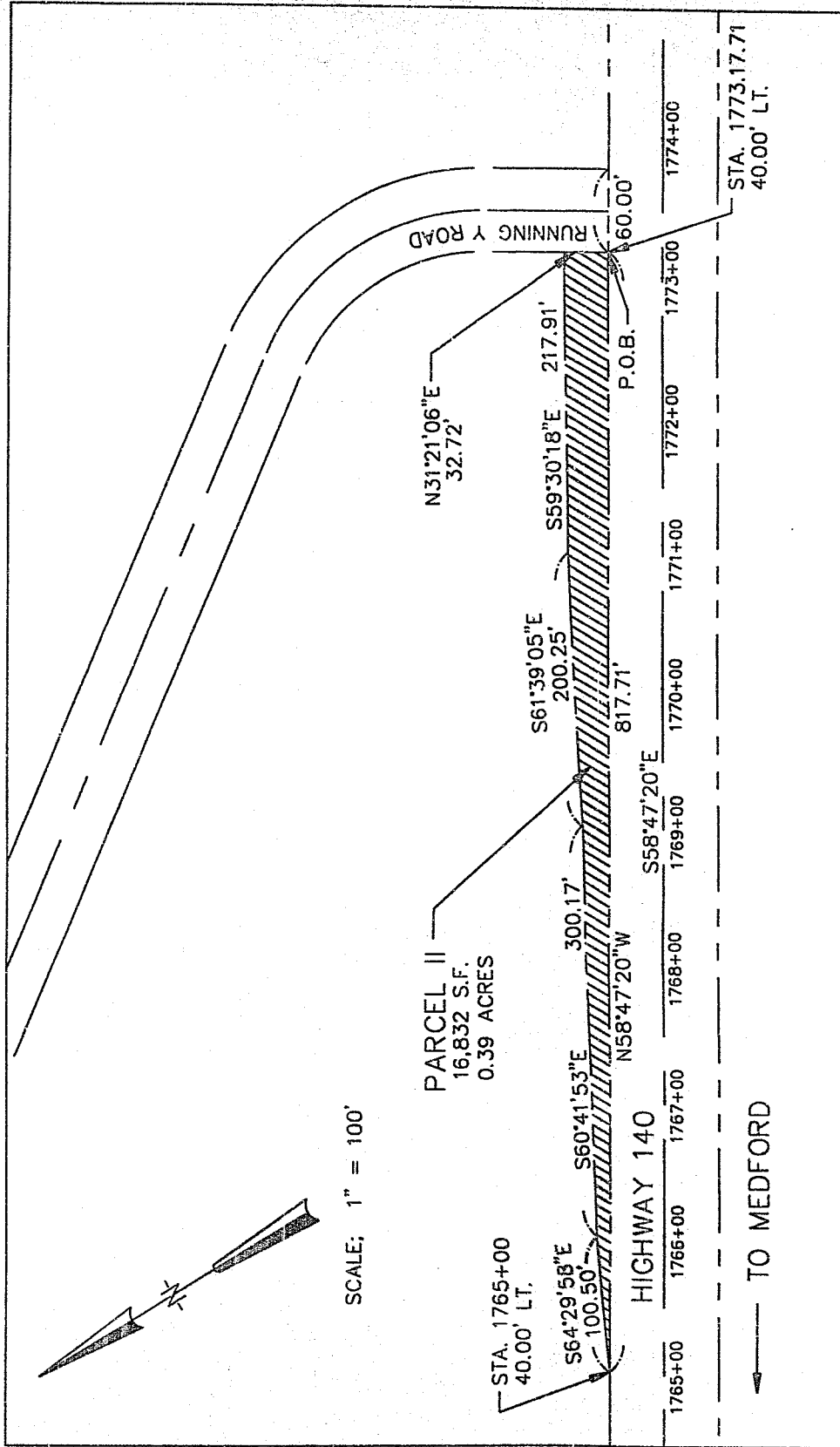
**WHPACIFIC**

2236 S. 6TH ST.  
KLAMATH FALLS, OR 97601  
(541)884-3042

OREGON  
JULY 21, 1992  
JACK A. BUTLER  
2550

PROJECT NO. 9-0526-0401  
DRAWN BY: KDM  
PLOT DATE: 06/05/97

RENEWAL: 12-31-97



# EXHIBIT "B"

SKETCH TO ACCOMPANY LEGAL DESCRIPTION

A TRACT OF LAND LOCATED IN SEC. 9,  
T 38 S, R 8 E, W.M., KLAMATH COUNTY, OREGON

REGISTERED  
PROFESSIONAL  
LAND SURVEYOR

*[Signature]*

OREGON  
JULY 21, 1992  
JACK A. BUTLER  
2550

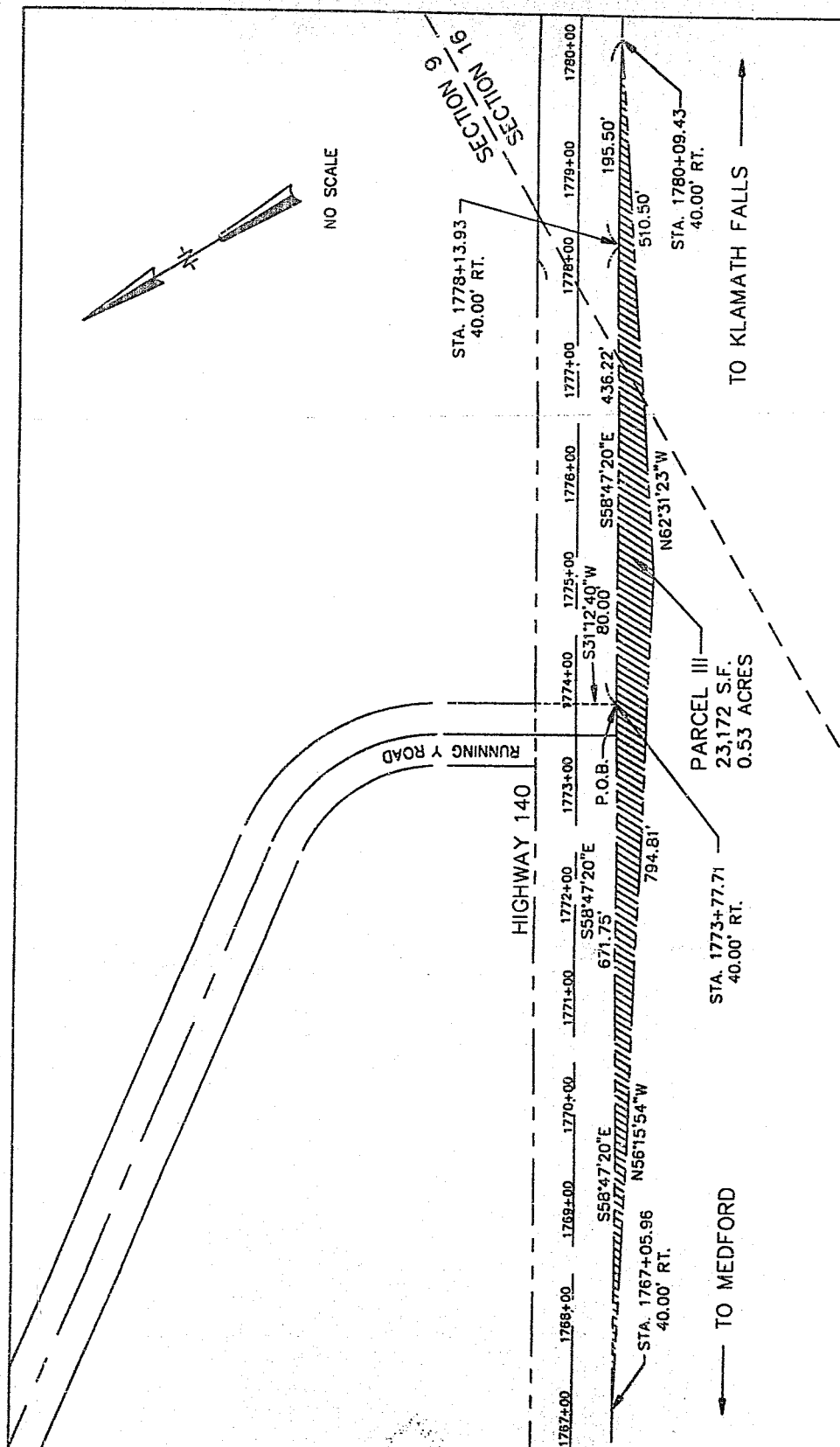
RENEWAL: 12-31-97

**W&H PACIFIC**  
2236 S. 6TH ST.  
KLAMATH FALLS, OR 97601  
(541) 884-3042

PROJECT NO. 9-0526-0401  
DRAWN BY: KDM  
PLOT DATE: 06/05/97



26703



## EXHIBIT "B"

SKETCH TO ACCOMPANY LEGAL DESCRIPTION

A TRACT OF LAND LOCATED IN SEC. 9 AND  
THE NE 1/4 OF SEC 16, T 38 S, R 6 E, W.M.  
KLAMATH COUNTY, OREGON

REGISTERED  
PROFESSIONAL  
LAND SURVEYOR

OREGON  
JULY 21, 1992  
JACK A. BUTLER  
2550

RENEWAL: 12-31-97

W&H PACIFIC

2236 S. 6TH ST.  
KLAMATH FALLS, OR 97601  
(541)884-3042

PROJECT NO. 9-0526-0401  
DRAWN BY: KDM  
PLOT DATE: 06/05/97

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of Oregon Dept. of Transportation the 14th day  
of August A.D., 19 97 at 12:00 o'clock P. M., and duly recorded in Vol. M97  
of Deeds on Page 26696.

FEE \$45.00

By Bernetha G. Letsch, County Clerk  
Kathleen Ross